

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JACARA THOMPSON,

Plaintiff,

vs.

TODD SCHMADERER, in his
individual and official capacities, et
al.,

Defendants.

8:23-CV-245

ORDER

This matter is before the Court on the plaintiff's motion to appoint counsel ([filing 24](#)). Pursuant to [28 U.S.C. § 1915\(e\)\(1\)](#), the Court "may request an attorney to represent any person unable to afford counsel." *Crozier for A.C. v. Westside Cnty. Sch. Dist.*, 973 F.3d 882, 889 (8th Cir. 2020). The Court must consider the factual and legal complexity of the issues, the existence of conflicting testimony, and the ability of the plaintiff to investigate the facts and present her claims. *Patterson v. Kelley*, 902 F.3d 845, 850 (8th Cir. 2018).

The Court finds that the criteria for appointment of counsel are satisfied in this case. The plaintiff is unable to afford counsel. *See filing 2*. The issues are factually and legally complex, and it may be difficult for all parties to complete discovery without the assistance of plaintiff's counsel.

IT IS ORDERED:

1. The plaintiff's motion for appointment of counsel ([filing 24](#)) is granted.
2. Pursuant to [NECivR 1.7](#), [28 U.S.C. § 1915\(e\)\(1\)](#), and the inherent authority of the Court, John L. Spray and the Mattson Ricketts Law Firm are appointed to represent the plaintiff.

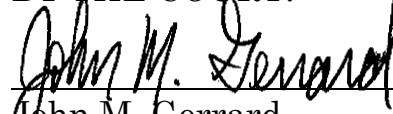
3. The Clerk of the Court shall provide a copy of this order and a copy of [filing 23](#) to the above-named counsel:

John L. Spray
2077 N Street
Suite 320
Lincoln, NE 68502
jls@mattsonricketts.com

4. Counsel shall promptly enter an appearance accepting the Court's appointment.
5. Expenses and attorney fees shall be paid from the Federal Practice Fund under the restrictions set out in [NECivR 1.7](#) and the [Amended Plan for the Administration of the Federal Practice Fund and the Federal Practice Committee](#) (as adopted December 29, 2021). Counsel is particularly directed to Section II(A)(1)(a), Section VI(A)(1), and Attachment A of the Plan, which explain what fees and expenses are authorized and how to seek reimbursement.
6. On or before August 26, 2024, counsel for the parties shall contact the Magistrate Judge's chambers to set a scheduling conference to discuss case progression.

Dated this 9th day of August, 2024.

BY THE COURT:



John M. Gerrard
Senior United States District Judge